

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

MICHAEL GAINES AND DANA
ADAMS

JUDGMENT IN A CIVIL CASE

Plaintiff(s),

v.

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

COUNTY OF MAUI AND DOE
DEFENDANTS 1 - 00

January 3, 2006

At 4 o'clock and 00 min p.m.
SUE BEITIA, CLERK

Defendant(s).

Decision by Court. This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

PURSUANT to the "Order Granting Defendant's Motion for Summary Judgment as to Plaintiffs' Federal Law Claim and Remanding State Law Claims" filed on December 22, 2005, IT IS ORDERED AND ADJUDGED that Defendant's motion to strike is GRANTED with respect to Exhibits 3, 4, and 5 to Plaintiffs' Concise Statement of Facts and with respect to the subsequent remedial measures recommended in Exhibit 1 to Plaintiffs' Concise Statement of Facts on the pages bates stamped numbered 0000051 and 0000068. IT IS FURTHER ORDERED AND ADJUDGED that the motion to strike evidence is DENIED with respect to the Declaration of Dana Adams and Exhibit 1 to Plaintiffs' Concise Statement of Facts, except for the subsequent remedial measures on the pages bates stamped numbered 0000051 and 0000068. IT IS FURTHER ORDERED AND ADJUDGED that with regard to Plaintiffs' claims of unconstitutional excessive force and false arrest/imprisonment brought pursuant to 42 U.S.C. Section 1983 (Count I of the Complaint) Defendant's Motion for Summary is GRANTED. IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs' state law claims, Counts Two through Nine are REMANDED to the Circuit Court for the Second Circuit, State of Hawaii. IT IS FURTHER ORDERED that there being no claims remaining for trial, the case is DISMISSED.

cc: All counsel of record

January 3, 2006

Date

SUE BEITIA

Clerk

(By) Deputy Clerk